The Oak Woodlands Conservation Act of 2001

Program Application and Guidelines

State of California Resources Agency California Wildlife Conservation Board

Preface

The management of our natural resources is a complex and challenging endeavor. The conservation of oak woodlands is no exception. Currently there are about 10 million acres of oak woodlands found in 54 of California's 58 counties, 80 percent of which are located on privately owned property. As the population of California continues to increase and more and more Californian's are leaving the metropolitan areas in favor of a more rural lifestyle, the debate over how best to protect and conserve oak trees and oak woodlands is becoming more controversial.

In response to the continuing loss of oak woodlands, Chapter 588, Statutes of 2001, enacted the Oak Woodlands Conservation Act. The Act specifically recognizes the importance of oak woodlands and how oak trees enhance the natural and scenic beauty of this State. Further, the Act acknowledges the important role oak woodlands play in the economic, social, environmental and ecological matters of this State. More importantly, the Act is designed to serve a segment of California's population that is directly associated with the preservation of oak woodlands, the private landowner.

The Act mandates the Wildlife Conservation Board to establish a grant program designed to protect and restore oak woodlands using conservation easements, cost-share and long-term agreements, technical assistance and public education and outreach. The Program provides incentives designed to foster and ensure the conservation of oak woodlands with an emphasis on sustaining the economic viability of farming and ranching operations.

Developing partnerships and working with private landowners, city and county entities, nonprofits organizations and other state departments, the Oak Woodlands Conservation Act provides an opportunity to reward landowners that have implemented good stewardship practices. Further, an opportunity exists to provide financial rewards to landowners who continue to integrate oak woodland conservation into their farming and ranching operations.

The following information has been prepared to familiarize the potential applicant with the provisions of the Oak Woodlands Conservation Act and the requirements of the new program. Applicants are encouraged to carefully review the following information and submit an application to the Wildlife Conservation Board.

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CHAPTER 1

The Oak Woodlands Conservation Act

California's Oak Woodlands

An innovative effort called the California Oak Woodlands Conservation Program, enacted by Chapter 588, Statutes of 2001 has recently been implemented. The Act recognizes the importance of California's oak woodlands, how they enhance the natural and scenic beauty of this great State, the critical role of the private landowner and the importance of private land stewardship. The Act further acknowledges how oak woodlands increase the monetary and ecological value of real property and promote ecological balance.

Oak woodlands provide habitat for more than 300 species of wildlife, moderate temperature extremes, reduce soil erosion and sustain water quality. Moreover, oak woodlands facilitate nutrient cycling and provide forage for numerous wildlife species.

The oak tree has played such an important role in California history that one only has to travel a few miles to find a town, city or residential complex named after the majestic oak tree. Yet, in spite of the importance and critical role oaks have played in shaping California's history, its economy and landscape, the State continues to lose oak woodlands to development, firewood harvesting and agricultural conversions.

Approximately two-thirds or 10 million acres of California's oak woodlands remain intact, about 80 percent of which are found on private property. Of the remaining oak woodlands, only about 4 percent are protected from conversion. Today, the single largest threat to oak woodlands is residential, commercial and industrial development. Conversion of oak woodlands to intensive agricultural development such as orchards and vineyards also takes a heavy toll.

Other factors, contributing to the loss of oak woodlands (as seen in Appendix A, Table 1,) include woodcutting, the lack of oak regeneration and Sudden Oak Death (SOD). For these reasons and because the preponderance of remaining oak woodlands can be found on privately owned property, the California Oak Woodlands Conservation Program is designed to accommodate the needs of the private landowner while fostering protection for oak woodlands.

Opportunities for People and Oak Woodlands

Although the rate of conversion of oak woodlands, coupled with the lack of oak regeneration and the emergence of SOD present a very dismal outlook and future for California oak woodlands, there is an opportunity to reverse the present trend. With 80 percent of the remaining oak woodlands on private lands, an opportunity exists to compensate landowners who have maintained economic opportunities for the property without sacrificing open space, healthy watersheds and quality wildlife habitat. In addition, opportunities exist for private landowners to restore oak woodlands while further enhancing the economic potential of their ranchlands.

The Oak Woodlands Conservation Program

The Oak Woodlands Conservation Program offers landowners, conservation organizations, cities and counties, an opportunity to obtain funding for projects designed to conserve and restore California's oak woodlands. While the Program is statewide in nature, it provides opportunities to address oak woodland issues on a regional priority basis.

The Program is designed to help local efforts achieve oak woodland protection. More importantly, this Program provides a mechanism to bring ranchers and conservationists together in a manner that allows both to achieve that which is so valued, -- sustainable ranch and farming operations and healthy oak woodlands.

Legislative Intent

Recognizing the importance of oak woodlands and the critical role private landowners have in the conservation of oaks, the Legislature created the Oak Woodlands Program with the expressed intent the Program accomplish the following:

- 1. Support and encourage voluntary, long-term private stewardship and conservation of California oak woodlands by offering landowners financial incentives to protect and promote biologically functional oak woodlands;
- 2. Provide incentives to protect and encourage farming and ranching operations that are operated in a manner that protect and promote healthy oak woodlands;
- 3. Provide incentives for the protection of oak trees providing superior wildlife values on private land, and;
- 4. Encourage planning that is consistent with oak woodlands preservation.

Purpose and Authority

To accomplish the legislative intent, the Act identifies the Wildlife Conservation Board (WCB) as the responsible entity to implement the Oak Woodlands Conservation Program. The Act authorizes the WCB to purchase oak woodland conservation easements and provide grants for land improvements and restoration efforts.

In addition, the WCB is authorized to award cost-sharing incentive payments to private landowners who enter into long-term agreements. Such agreements will be structured to include management practices that benefit oak woodlands and promote the economic sustainability of the farming or ranching operation.

The Act requires that at least 80 percent of the money be used for grants for the purchase of easements, for restoration activities or for enhancement projects. In addition, the funds may be used for grants that provide cost-share incentive payments and long-term agreements.

The remaining 20 percent may be used for public education and outreach efforts by local governments, park and open space districts, resource conservation districts and nonprofit organizations. Within the 20 percent category, funds may also be used for grants designed to provide technical assistance and to develop and <u>implement</u> oak conservation elements in local general plans.

While the Act specifies how the monies are to be allocated, the Act requires that priority be given to grants that result in the purchase of oak woodland conservation easements.

Definitions

For purposes of the Oak Woodlands Conservation Program, the following definitions govern the implementation of this program:

Board means the Wildlife Conservation Board.

Baseline Condition Report means a description of existing oak woodland resources present on the property and their management.

Conservation Easement as defined in Section 815.1 of the Civil Code.

Ground Fire means a fire that consumes material lying beneath the ground surface including deep duff, roots, etc.

Land improvement means a restoration or enhancement project.

Local government entity means any city, county, city and county, district, Resource Conservation District or other local governmental entity.

Nonprofit organization means an entity that meets requirements of Section 815.3 of Civil Code.

Oak means any species in the genus *Quercus*.

Oak Woodlands means an oak stand with a greater than 10% canopy cover or that may have historically supported greater than 10% canopy cover.

Special oak woodlands habitat elements means multi and single layer canopy, riparian zones, cavity trees, snags and downed woody debris.

Stand Replacing Fire means a fire that is of sufficient intensity to convert the stand to earlier stages of plant community succession and composition.

Surface Fire means a fire that burns surface litter, debris and short vegetation.

Working Landscape means property from which income is derived from the management of natural resources present on the land.

Program Development and Stakeholder Group

The Oak Woodlands Conservation Act requires the WCB to develop guidelines and criteria for awarding grants that achieve the greatest conservation for oak woodlands. The Act further requires the Board to develop these guidelines in consultation with the California Department of Forestry and Fire Protection, the California Department of Food and Agriculture, the University of California's Integrated Hardwood Range Management Program and representatives from farming, ranching and conservation groups.

WCB expanded the original stakeholder group to include input from the following organizations: several county boards of supervisors, special district representatives, California Department of Fish and Game, California Resources Agency, California Department of Conservation, California Oaks Foundation, The Nature Conservancy, California Cattlemen's Association, California Rangeland Trust, High Sierra Resource Conservation & Development Area and the Santa Barbara County Planning Department.

Mission and Program Goal Statements

Through a series of workshops and small group meetings, the stakeholder group developed a program mission and goal statements to further clarify the program and guide the WCB in selecting projects designed to meet the legislative intent and purpose of the program. To this end, the following statements were developed:

Mission Statement:

"Conserve the integrity and diversity of oak woodlands across California's working landscapes through incentives and education."

Legislative Goal Statements:

- ✓ Support and encourage voluntary, long-term private stewardship and conservation of California oak woodlands by offering landowners financial incentives to protect and promote biologically functional oak woodlands;
- ✓ Provide incentives to protect and encourage farming and ranching operations that are operated in a manner that protect and promote healthy oak woodlands;
- ✓ Provide incentives for the protection of oak trees providing superior wildlife values on private land, and;
- ✓ Encourage planning that is consistent with oak woodlands preservation

Complimentary Stakeholder Goal Statements:

- ✓ Provide technical and financial assistance to counties that will result in effective oak conservation measures in local planning efforts. Such measures shall encourage and support the conservation, enhancement and management of sustainable oak woodlands across working landscapes and other privately owned oak woodlands.
- ✓ Provide financial incentives, education and technical assistance to private landowners that will result in oak habitat conservation and enhancement across working landscapes and other privately owned oak woodlands.
- ✓ Support projects in counties that have adopted oak retention, enhancement and management policies consistent with the intent of the Oak Woodlands Conservation Act of 2001. Using long-term agreements and easements, projects shall be designed to benefit private landowners that conserve oak woodlands, the community and wildlife species dependent on oak woodlands and associated habitats.

CHAPTER 2

Status of Oak Woodlands

As previously mentioned, there are about 10 million acres of oak woodlands remaining in California. For purposes of the Oak Woodlands Conservation Program, oak trees are defined as any species in the genus *Quercus*, and oak woodlands are defined as oak stands with greater than 10 percent canopy cover or stands that may have historically supported greater than 10 percent canopy cover in the past.

The California Wildlife Habitat Relationships System (CWHR) describes five habitat types used to identify California's oak-dominated woodlands. The CWHRS types are based on the dominant tree species and include Valley Oak, Blue Oak, Blue Oak-Foothill Pine and Coastal Oak.

For additional information on oak woodlands, wildlife and wildlife habitats in oak woodlands, applicants are encouraged to consult with the local biologist from the California Department of Fish and Game or the UC Integrated Hardwood Range Management Program (IHRMP). In addition, for excellent information on oak woodlands contact the IHRMP website at the following address: http://danr.ucop.edu/ihrmp/wildhab

Oak Regeneration

While the loss of oak woodlands to urbanization and intensive agriculture is alarming, another threat is even more troublesome. Several oak species are not regenerating in portions of their range. Young trees are not replacing older trees that are removed (for various reasons) or die of natural causes.

Oak species that are particularly impacted by the lack of regeneration include the valley oak, blue oak, coast live oak and in some areas, the California black oak. While the reasons for the lack of regeneration are varied, complex and controversial, i.e., over grazing, fire suppression, noxious weeds, invasion of weedy annual grasses and suppression of native perennial grasses, the solutions are equally complex and varied. Facilitating oak regeneration, while challenging, can be successful if collaboration and partnerships are developed with private landowners. Regeneration techniques such as seedling shelters, weed control, and improved grazing practices have proven successful in promoting the regeneration of oak trees.

For additional information on oak regeneration or recruitment, applicants are encouraged to contact the following:

- 1. Point Reyes Bird Observatory at (414) 868-1221 or www.prbo.org
- CDF Fire and Resource Assessment Program (916) 227-2651 or http://frap.cdf.ca.gov
- 3. California Department of Fish and Game (916) 653-1738 or www.dfg.ca.gov
- 4. UC Integrated Range Management Program at (530) 639-8807 or http://danr.ucop.edu/ihrmp
- 5. California Oaks Foundation at (510) 763-0282 or www.californiaoaks.org

Sudden Oak Death Syndrome

Another threat to California's oak woodlands is Sudden Oak Death (SOD). While first discovered in 1995, today, the disease has spread to 12 counties and has killed tens of thousands of oaks and tanoaks. Oak trees observed to have symptoms of SOD include black oak, coast live oak, interior live oak and Shreves oak. The disease is currently restricted to oaks trees along California coastal areas though some fear the disease will continue to spread inland.

To date, there is no known cure for the disease. Because of the severity of SOD and the potential, large-scale impact upon numerous economic, social and recreational sectors throughout California, extensive research is underway to understand and find the means to limit the spread of this disease. Furthermore, in light of the severity of this disease and the ease of transmission, there are strict state and federal regulations governing the movement of plant material and soil within and out of counties with observed occurrences of SOD.

The Oak Woodlands Conservation Program is not equipped to address issues associated with SOD. As such, it is recommended that potential applicants from a county that has been quarantined because of SOD consult with their local agricultural commissioner, Fish and Game biologist and UC Extension Office. In addition, any proposal submitted from a quarantined county will be forwarded to the California Oak Mortality Task Force for additional review and comment.

For additional information on SOD, applicants are encouraged to contact the following:

- California Oak Mortality Task Force at (510) 642-5938 or http://www.cnr.berkeley.edu/comtf/
- 2. Local County Agricultural Commissioners Office

- CDF Fire and Resource Assessment Program (916) 227-2651 or http://frap.cdf.ca.gov
- 4. California Department of Food and Agriculture at (916) 445-6214 or www.kkosta@cdfa.ca.gov
- California Department of Fish and Game at (916) 653-1738 or www.dfg.ca.gov
- 6. Sudden Oak Death at www.suddenoakdeath.org
- 7. Local UC Cooperative Extension Office

Geographic Distribution of Oak Woodlands

To understand the distribution, status and management issues associated with approximately 10 million acres of oak woodlands throughout California, the Stakeholder Group divided the State into eight unique geographical areas or oak sections. Using information from the Ecological Units of California, each of the oak sections are described below and displayed in Appendix A (maps 1 through 8). In addition, Table 1 summarizes the major threats facing oak woodlands within each of the eight sections.

1. North Coast Oak Woodland Section

The North Coast Section contains approximately 2.1 million acres of oak woodlands. The boundaries run from Crescent City in the North to Marin in the South. The entire Section covers approximately 12,618 square miles (8.08 million acres) and varies in elevation from sea level on the western edge to approximately 8,100 feet.

The predominant oak species include valley oaks in the southern reaches of the area, blue oak, black oak, canyon oak, interior live oak, Shrives oak and Oregon white oak in the upper reaches of Humboldt and Del Norte Counties and coastal live oak along coastal areas.

Oak woodlands face conversion pressures, predominantly to vineyards, residential developments and ranchettes. Over grazing, lack of oak regeneration, firewood cutting and in some areas, Sudden Oak Death threaten the biological integrity of the oak woodlands.

Precipitation: 20 to 120 inches

Fire Disturbance Regime: Historic occurrence is changing from frequent, low intensity surface fires, to infrequent, moderate to high intensity ground or stand replacing fires.

2. Klamath/South Cascade Oak Woodland Section

This Section contains approximately 940,000 acres of oak woodlands and borders the North Coast Region on the west. The Section covers approximately 15,198 square miles (9.7 million acres) and varies in elevation from 200 feet to 14,600-foot elevation at Mt. Shasta.

The predominant oak species include valley oak, blue oak, black oak, interior live oak, and Oregon white oak.

The major threat in this Section comes from firewood cutting. In addition, threats include agricultural conversion, development of mini ranchettes, and lack of oak regeneration, drought and poor watershed conditions.

Precipitation: 8-120 inches

Fire Disturbance Regime: In the western portion of the section and at lower and midelevations, historic fire occurrence has changed from frequent, low intensity ground fires to infrequent, high intensity stand replacing fires. In the eastern portion of the section and at lower and mid-elevations, historic fire occurrence has changed from frequent low intensity surface fires to infrequent, high intensity stand replacing fires.

3. Modoc Oak Woodland Section

This Section contains approximately 5,000 acres of oak woodlands comprised of a few areas of blue oak woodlands and montane hardwood forests. The Section is 6,222 square miles (4 million acres) in size and ranges in elevation from 300 to 9,900 feet. The principal threat in this area comes from over grazing and extensive firewood cutting.

Precipitation: 8-30 inches

Fire Disturbance Regime: Historic occurrence has changed from frequent, low intensity ground fires to infrequent, high intensity stand replacing fires.

4. Central Coast Oak Woodland Section

The Central Coast Section contains approximately 1.9 million acres of oak woodlands and covers the area from San Francisco in the north to San Luis Obispo in the south. The entire Section covers approximately 14,891 square miles (9.5 million acres) and varies in elevation from sea level on the western edge to approximately 5,200 feet in the eastern portion of the Section.

The predominant oak species include valley oak, a few black oak, blue oak, interior live oak and coastal live oak.

Intensive agricultural development and conversion of oak woodlands to vineyards is the major threat in this Section. In addition, the northwest and central portions of the Section are experiencing confirmed cases of Sudden Oak Death. Lack of oak regeneration, coupled with periodic drought and increased fire risk, threatens many of the remaining large stands of oak woodlands.

Precipitation: 6-60 inches

Fire Disturbance Regime: Fires are of variable intensity and frequency and are ground or stand replacing.

5. Southern California Coast Oak Woodland Section

The Southern Coast Section has approximately 590,000 acres of oak woodlands remaining throughout the area. The Section covers the area from Santa Barbara County in the north to San Diego County in the south. The entire Section covers approximately 15,893 square miles (10.2 million acres) and varies in elevation from sea level on the western edge to approximately 11,500 feet in the eastern portion of the Section.

The predominant oak species include Engleman oak, valley oak, coast live oak, interior live oak, canyon live oak and blue oak.

High density, residential development is the principal threat in this area resulting in fragmented landscapes and few remaining large tracks of oak woodlands. Intensive agricultural development also threatens the remaining oak woodlands.

Precipitation: 6-40 inches

Fire Disturbance Regime: Historic occurrence has changed from fires of variable frequency, season and intensity to more frequent, larger and more intense fires. In the eastern portion of the Section, fires that are stand replacing, are of variable frequency, season and intensity.

6. **Great Valley Oak Woodland Section**

This Section contains approximately 960,000 acres of oak woodlands and covers the Central Valley from Redding in the north to Bakersfield in the south. The entire area covers approximately 21,815 square miles (about 14 million acres) and varies in elevation from 300 foot elevation on the western edge to 50 foot in the center to approximately 3,000 feet on the east side.

The predominant oak species include valley oak, blue oak, Oregon white oak, black oak, interior live oak and canyon live oak.

The principal threat to oak woodland values in the Central Valley comes from residential development and intensive agricultural conversion. In addition, extensive firewood cutting in the northern areas of Shasta and Tehama County, poor oak regeneration, development of small ranchettes, over grazing and hobby livestock coupled with ground water diversions pose additional threats to the oak woodlands.

Precipitation: 5-40 inches

Fire Disturbance Regime: Historic occurrence has changed from frequent, fast-moving large fires to infrequent, small fires, or fire has been mostly excluded due to conversion to irrigated agriculture and urban development. In the northwest portion of the section, fires are presently of low, moderate, or high intensity and surface or stand replacing.

7. Sierra Nevada Foothills Oak Woodland Section

The Sierra Nevada Foothill Section, one of the largest oak woodland areas remaining in California, contains approximately 2.1 million acres of oak woodlands. The Section covers the eastern edge of the Central Valley from Redding in the north to Kern County in the south. The Section covers approximately 7,024 square miles (4.5 million acres) and varies in elevation from 200 feet on the western edge to approximately 5,000 feet elevation level on the eastern edge of the Section.

The predominant oak species include blue oak, black oak, interior live oak, and some valley oak.

Residential development and intensive agricultural conversion to vineyards threaten the oak woodlands. In addition, firewood cutting, poor oak regeneration and low density, suburban development in the form of small ranchettes, affect the oak woodlands.

Precipitation: 8-40 inches

Fire Disturbance Regime: Fires are currently of low, moderate or high intensity and surface or stand replacing.

8. Sierra Nevada Oak Woodland Section

The Sierra Nevada Section contains approximately 590,000 acres of oak woodlands and covers the higher elevations of the west side and the eastern edge of the Sierra Nevada. The Section covers approximately 19,919 square miles (12.7 million acres) and varies in elevation from 1,000 feet on the western edge to approximately 15,000 feet in the eastern portion of the Section.

The predominant oak species include blue oak, black oak, interior live oak and some valley oak. The Section also provides critical riparian vegetation containing oaks.

The important threats for this Section include residential development and intensified agricultural conversion, primarily vineyards. In addition, poor oak regeneration, increasing low density, suburban development, and high fire risk are concerns.

Precipitation: 10-90 inches

Fire Disturbance Regime: At lower and mid-elevation of the section, historic occurrence has changed from frequent, low intensity ground fires to infrequent, high intensity stand replacing fires.

CHAPTER 3

Program Requirements

The Oak Woodlands Conservation Act provides a two-tiered approach to the conservation of oak woodlands across the State. The first tier requires that a landowner wishing to participate in the program own property in a county or city that has prepared an Oak Woodlands Management Plan. Once the city or county has demonstrated that an Oak Woodland Management Plan exists, a landowner would be eligible to participate in the program.

The Oak Woodlands Management Plan

Prior to WCB awarding a grant for an oak woodland conservation easement, restoration or enhancement project or any public education or outreach project, Section 1366 of the Act requires that a city or county in which grant money would be spent shall prepare or demonstrate that it has already prepared an Oak Woodlands Management Plan. The Act requires the plan to include a description of all native oak species located within the county or city's jurisdiction.

To assist with the preparation of the plan, the Act allows a nonprofit organization, park or open space district, resources conservation district or other local government entity to apply to the Board for funds to develop an Oak Woodlands Management Plan for a county or city. However, the county or city shall maintain ultimate authority to approve the Oak Woodlands Management Plan. If two or more entities seek grant funding from the Board to prepare an Oak Woodlands Management Plan for the same jurisdiction, the county or city shall designate which entity shall lead the efforts to prepare the necessary document.

The Advisory Committee recognized that such a plan should contain elements designed to encourage the long-term conservation of oak woodlands. More importantly, the committee recognized that elements of the required plan should not be overly restrictive to discourage landowners, or local jurisdictions from participating in the program.

To participate in the Oak Woodlands Conservation Program, a county or city shall adopt an Oak Woodlands Management Plan in the form of a Resolution. The Resolution does not have to be part of the General Plan. If a county or city currently has a plan in place that meets the minimum requirements of the Oak Woodlands Management Plan, a resolution by the governing body certifying such compliance is sufficient.

A Resolution shall be adopted that contains at least the following elements:

Minimum Elements Oak Woodlands Management Plan To Be Approved by Local Resolution

- 1. The county or city agrees to adopt a Resolution to offer private landowners the opportunity to participate in the Oak Woodlands Conservation Program. The Oak Woodlands Management Plan and Resolution is adopted pursuant to the requirements of California Fish and Game Code Section 1366 (a). Previously adopted resolutions are acceptable if they meet the minimum requirements of the Resolution.
- 2. The county or city shall prepare statements that describe the status of oak woodlands in their jurisdiction. Such statements shall include a description of all native oak species, estimates of the current and historical distribution of oak woodlands, existing threats, status of natural regeneration and growth trends. To the extent possible, local jurisdictions shall prepare maps displaying the current distribution of oak woodlands.
- 3. The county or city shall prepare statements recognizing the economic value of oak woodlands to landowners and the community at large. These statements shall encourages and support farming, ranching and grazing operations that are compatible with oak woodland conservation.
- 4. The county or city shall prepare statements recognizing the natural resource values of oak woodlands including the critical role oak woodlands play relative to the health and function of local watersheds, soil and water retention, wildlife habitat, open space and the reproduction or reduction of fuel loads.
- 5. The county or city shall prepare statements recognizing that the loss of oak woodlands has serious effects on wildlife habitat, retention of soil and water and that planning decisions for oak woodlands should take into account potential effects of fragmentation of oak woodlands.
- 6. The county or city shall prepare statements expressing support for landowners that participate in the Oak Woodlands Conservation Program. To qualify for funding consideration by the Wildlife Conservation Board, the county or city agree, pursuant to Section 1366 (f) of the Act to certify that individual proposals are consistent with the county or city Oak Woodlands Management Plan.
- 7. The county or city shall prepare statements that support and encourage education and outreach efforts designed to demonstrate the economic, social and ecological values associated with oak woodlands.

8. The county or city shall review and update as necessary, the Oak Woodlands Management Plan.

Eligible Participants

The Oak Woodlands Conservation Program is designed to consider grant proposals from the following participants: private landowners, local government entities, park and open space districts, resource conservation districts and nonprofit organizations. Participants are encouraged to develop partnerships with interested individuals or organizations that are designed to leverage available technical and financial resources.

In addition, pursuant to Section 1366 (f), the county or city shall certify that proposed grant requests are consistent with the Oak Woodlands Management Plan of the county or city. As such, eligible participants must consult with the local county or city and obtain a certification (see Application, Required Attachments and Certifications) that the proposal is consistent with local Oak Woodlands Management Plan.

Further, Section 1366 (f) requires that if the land covered by the proposal is in the jurisdiction of more than one county or city, then <u>each</u> county or city shall certify that the proposal is consistent with the Oak Woodlands Management Plan of each county or city.

Eligible Easement Acquisition, Restoration or Long-Term Agreement Projects

Pursuant to the requirements of Section 1363, the Act requires that no less than 80 percent of the funds be used for the following type of projects:

1. Grants for the purchase of oak woodland easements.

The holder of the conservation easement shall ensure, on an annual basis that the conservation easement conditions have been met for that year. To facilitate this annual review, a *Baseline Condition Report* shall be prepared that identifies the biological resources that are present on the property and covered under the conservation easement. The Act requires that priority be given to projects designed to protect oak woodlands in perpetuity with conservation easements.

2. Grants for restoration or enhancement projects.

Project proposals must contain an appropriate management plan that describes the restoration effort and the management practices that will be used to ensure the restoration or enhancement effort achieves the goals of the landowner and the goals of the project.

3. Grant for long-term leases.

Projects are designed to protect oak woodlands for purposes of open space, viewshed, wildlife habitat or alternative grazing opportunities. Such leases must be managed according to a management plan prepared to meet the goals stated in the long-term lease or project agreement.

4. Grants for cost-sharing incentive payments.

Projects designed to achieve conservation objectives and the landowner is willing to enter into long-term agreements. Such agreements shall include management practices that benefit the goals of the landowner and the oak woodlands. The length of the long-term agreement will be dependent upon the nature of the project, the goals of the landowner and benefits to the oak woodlands. Typical long-term agreements could run 15, to 45-years. Cost-share incentive payments could include, but are not necessarily limited to the following:

- Compensation for not cutting trees for firewood.
- Long-term payment to keep the land in open space, managed according to a plan designed to benefit the landowner and the oak woodlands.
- Reimbursement for conservation improvements such as fencing, solar panels, grazing cages to protect young oak saplings, alternative water sources, tree planting and tree maintenance.
- Compensation for alternative grazing practices such as up-front payments to defer grazing on restoration areas. Areas would be managed according to a plan designed to benefit the goals of the landowner and the restoration of the oak woodlands.

Applicants are encouraged to seek input from the local Fish and Game Biologist or other resource professionals when developing proposals that request funding for conservation easements, development of management plans or long-term agreements.

Criteria for Easement Acquisition, Restoration or Long-Term Agreement Projects

To qualify for funding consideration for a restoration, enhancement, purchase of an oak conservation easement or long-term agreement, projects must meet one or more of the following criteria, must contain an appropriate management plan to assure project goals are maintained and the oak stand must have greater than 10 percent canopy:

✓ The project is of sufficient size to provide superior wildlife values.

- ✓ The project area contains a diverse size-class structure of oak woodlands and/or
 a diversity of oak species that will promote the sustainability and perpetuation of
 oak woodlands.
- ✓ The property is adjacent to other protected areas or will contribute toward ease of wildlife movement across ownerships.
- ✓ The project contributes toward regional or community goals, provides scenic open-space, protects historic or archeological values, or contains unique geologic features.
- ✓ The property is a working landscape. The landowners have implemented or agree to implement stewardship practices that recognize and incorporate the ecological requirements of oak woodlands and associated habitats, thus promoting the economic and resource sustainability of the farming and ranching operation
- ✓ The property removes or reduces the threat of habitat conversion from oak woodlands to some other use.
- ✓ The project has the potential to serve as a stewardship model for other landowners.

Eligible Public Education, Outreach and Technical Assistance Projects

Pursuant to the requirements of Section 1363, the Act allows for 20 percent of the funds to be used for the following type of projects:

- Grants for public education and outreach by local governments, park and open space districts, resource conservation districts and nonprofit organizations.
- 2. Assistance to local government entities, park and open space districts, resource conservation districts and nonprofit organization for the development and implementation of oak conservation elements in local general plans.
- Technical Assistance.

Criteria for Education, Outreach and Technical Assistance Projects

To qualify for funding consideration for a public education, outreach proposal or technical assistance project, the project must meet the following criteria:

- ✓ The project shall be designed to identify and communicate the social, economic, agricultural and biological benefits of conserving oak woodlands.
- The project shall be designed and targeted to reach the maximum number of local landowners that could benefit from public education and outreach efforts.
- ✓ The project shall be designed and implemented as a collective effort or partnership that, where appropriate, includes local entities such as; landowners, the Resource Conservation District, Fish and Game Biologist, UCCE Farm Advisor, representatives from farming or ranching organizations and the county or city planning department.
- ✓ The project shall be designed to promote and encourage oak woodland conservation through voluntary approaches.
- ✓ The project shall provide sources of available financial and/or technical information to assist landowners wishing to conserve their oak woodlands.
- ✓ The project will identify measurable goals and objectives to evaluate the success
 of the project. For projects not completed within one year of approval, the design
 shall include specific interim deliverables or benchmarks and a timeline for
 completion.
- ✓ If requested by the WCB, project sponsors must be willing to make education, outreach and technical assistance information available online so that other project proponents may benefit from the education and outreach effort. Such information should not include private or proprietary information about private landowners or their operations.

CHAPTER 4

Administrative Process

Developing Partnerships

While the Oak Woodlands Conservation Program promotes conservation of privately owned oak woodlands, the easement acquisition portion of the Program is not designed to accept applications directly from private landowners. As such, landowners interested in participating in the Oak Woodlands Conservation Program must coordinate the preparation of the application package with an eligible participant.

The WCB encourages projects to be developed with partners attempting to address regional landscape issues and oak preservation needs. A partnership approach brings to the project a diversity of skills, expertise, ideas and sometimes-even money that may not otherwise be available to complete a desired project.

Submitting Applications

While applications are accepted on a year-round basis, the WCB generally meets four times a year. Typically, Board meetings are held in February, May, August and November. All applications that comply with the program requirements and meet program eligibility criteria will be scheduled for Board consideration if sufficient money exists to fund the request. Applicants will be notified as to when the project will be considered by the Board. The Board must approve any project to be funded.

All applications should be mailed to the following:

Executive Director, Wildlife Conservation Board 1807 13th Street, Suite 103 Sacramento, California 95814

Applicants are encouraged to call (916) 445-8448, with any questions prior to completing an application package. Additional information regarding the program or the Board may be obtained by visiting the Board's website located at www.dfg.ca.gov/wcb

What to Submit

To qualify for funding consideration, a complete application package must be submitted (see Appendix B). To facilitate the review of the proposal, applicants are encouraged to consult with the local Fish and Game biologist or other resource professionals while developing the project. Soliciting the comments from local biologist will also facilitate the review process, as a copy of the application package will be forwarded to the Regional Manager for review and comment.

Applicants are required to submit three copies of the application package to WCB. In addition, one copy of the required county or city resolution or Oak Woodlands Management Plan must be submitted with the application.

If a project proposal is submitted requesting funds for the purchase of a conservation easement or long-term lease agreement, the fair market value of the project must be determined by an appraisal of the property. All appraisals must be conducted by a state licensed, independent appraiser and must be prepared in conformance with the <u>Uniform Standards of Professional Appraisal Practices</u> (USPAP).

If the application is complete and the program requirements and criteria are met, the WCB staff will notify the applicant to have the property appraised. Once WCB receives two copies of the appraisal document, WCB staff will submit the appraisal to the State Department of General Services for an independent review and approval of the appraisal document. ALL APPRAISALS MUST BE REVIEWED AND APPROVED BY THE DEPARTMENT OF GENERAL SERVICES.

If the appraisal is approved by the State Department of General Services, applicants will be notified of the approved fair market value of the property and the necessary real estate documents will be prepared by Board staff in preparation for the full Board meeting. If the appraisal is denied, applicants will be notified and provided with an explanation as to why the appraisal was denied.

Important

Applicants are cautioned, that appraisals <u>must be approved prior to taking the project to the full Board for consideration.</u> As such, project applications must be submitted at least <u>four months in advance</u> of a scheduled Board meeting to allow sufficient review time by Board staff and the State Department of General Services.

Notice To The Public of WCB Meeting

For all projects eligible for consideration by the Board, landowners adjacent to the project site must be notified of the pending Board's review. Project applicants must submit a list of names and mailing address of all adjacent landowners.

Summary of Grant Process

- 1. A project applicant submits three copies of a complete application package and one copy of the Oak Woodlands Management Plan Resolution to WCB.
- 2. One copy of the application package will be forwarded to the Regional Manager of the California Department of Fish and Game for review and comment.
- 3. WCB staff will review the proposal for compliance with program requirements and criteria and decide if a proposal should be recommended to the Board for funding consideration.
- 4. Prior to presenting a proposed project to the WCB for final approval, grant agreements and/or appropriate real estate documents will be prepared and forwarded to the applicant for signature.
- 5. The applicant must return all signed agreements prior to the scheduled Board meeting.
- 6. WCB staff will present recommended project proposals to the Board for funding consideration. Project applicants are encouraged to attend the Board meeting.
- 7. If the Board approves the project, the applicant will be provided with a *Notice to Proceed* with the Project.
- 8. For restoration and enhancement projects, WCB staff may conduct a preconstruction meeting with the project sponsor, landowner and any contractors.
- 9. WCB, in consultation with the landowners, may conduct periodic progress inspections.
- 10. All invoices must be submitted to WCB for approval of payment.
- 11. After completion of the project, WCB will conduct a final inspection.
- 12. Upon WCB completion of final inspection, an applicant must submit a request for final grant payment, along with a project completion report.
- 13. The State may conduct an audit of the completed project.
- 14. WCB, in consultation with the landowner, may monitor the project for the term of the agreement or lease.